

Notice of Allowability

Application No.

09/688,715

Examiner

Mark Fadok

Applicant(s)

ROFRANO, JOHN J.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 4/13/2005.
2. The allowed claim(s) is/are 1-3,7-18,20-22,24-31,33-35 and 37-39.
3. The drawings filed on 16 October 2000 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 6/22/2005.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

Response to Amendment

The examiner is in receipt of applicant's response to office action mailed 12/27/2004, which was received 4/13/2005. Acknowledgement is made to the amendment to claims 1,9,10,14,24,27 and 33 and the cancellation of claims 4-6,19,23,32 and 36, leaving claims 1-3,7-18,20-22,24-31,33-35 and 37-39 as pending in the instant application. The arguments provided in the remarks along with the amendments were found to be persuasive, therefore the following reasons for allowance are provided.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by CFR 1.312. To ensure consideration of such an amendment, it must be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. M. Dubuc, dated 5/22/2005.

On page 1 of the specification add the following after the title and before the "Background of the invention"

Insert:

--CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation-in-part of application No. 08/948,719, filed on

Oct. 10, 1997, now Pat. No. 6,035,283.--

Claim 14: in line 5, after "comprising", insert--the computer implemented steps of--

Allowable Subject Matter

Claims 1-3,7-18,20-22,24-31,33-35 and 37-39 are allowed.

The following is an Examiner's statement of reasons for allowance for all independent claims 1,14 and 27.

The present invention is directed to a system, method and storage medium for presenting questions electronically to customers over the Internet. Rather than using a tree type structure where questions are predicated on a previous answer, the present invention uses a ranking that is independent of any previous answers provided by the customer.

Each of the independent claim 1,14 and 27 identifies the uniquely distinct features as follows:

Claim 1: selecting said electronic catalog questions in order of ranked importance, said ranked importance independent of any previous answers provided by said customer

Claim 14 and 27: selectively ranking said electronic catalog questions in order of importance, said ranking independent of any previous answers provided by said customer

Relevant Art

Discussion of most relevant art:

US Patents and PG-PUB

- (i) US Patent 5,963,939 to McCann et al. discloses a system and method for obtaining software objects for obtaining information from a user and searches a database. Case et al., however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.
- (ii) US Patent 6,701,322 to Green relates to an interactive customer-business interview system and process for managing interview flow. Green, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.
- (iii) US Patent 6,070,149 to Tavor et al. discloses a system that guides a customer to a product by better matching the product. Tavor, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

Foreign Patent Documents

(iv) EP 0915422 to Krug discloses an expert system for determining trouble shooting suggestions and solutions. Krug, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

Non-Patent Literature

(v) Liebowitz teaches a method for use of expert systems and developing knowledge management systems. Liebowitz, however fails to anticipate or render the application's above-mentioned limitation(s) obvious. Casper, however, fails to anticipate or render the application's above-mentioned limitation(s) obvious.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **(571) 272-**

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6755. The examiner can normally be reached Monday thru Thursday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wynn Coggins** can be reached on **(571) 272-7159**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **receptionist** whose telephone number is **(571) 272-3600**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450
or faxed to:

(703) 872-9306 [Official communications; including

After Final communications labeled

"Box AF"]

(571) 273-6755 [Informal/Draft communications, labeled

"PROPOSED" or "DRAFT"]



Mark Fadok

Primary Examiner